

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Victor Bigman

CASE NUMBER: 11-04170m-001-PCT-MEA

I, the undersigned complainant being duly sworn states the following is true and correct to the best of my knowledge and belief.

Count I

On or about June 25, 2011 in Kaibeto, Arizona, Coconino County, the District of Arizona, within the confines of the Navajo Indian Reservation, Indian Country, the defendant, Victor Bigman, an Indian, with premeditation and malice aforethought, did willfully kill and murder Darrell Curley, an Indian, in violation of Title 18 United States Code, Section 1153 and 1111.

I further state that I am a Special Agent of the Federal Bureau of Investigation (FBI) and that this complaint is based on the following facts:

See Attached Affidavit Incorporated by Reference Herein

Continued on an attached sheet and made a part hereof: ☒ Yes ☐ No

REVIEWED BY: Assistant United States Attorney Camille D. Bibles. *CB*

Eric D. Stoddard, Special Agent

Name of Complainant



Signature of Complainant

Sworn to before me and subscribed in my presence,

June 28, 2011

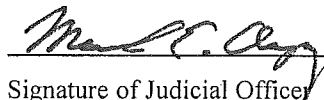
Date

at Flagstaff, Arizona

City and State

Mark E. Aspey, U.S. Magistrate Judge

Name & Title of Judicial Officer



Signature of Judicial Officer

U. S. MAGISTRATE COURT

FLAGSTAFF, ARIZONA

AFFIDAVIT

The undersigned, being duly sworn, deposes and says:

1. Your Affiant, Eric D. Stoddard, is a Special Agent (SA) of the Federal Bureau of Investigation (FBI), and is currently assigned to the Flagstaff, Arizona Resident Agency of the Phoenix, Arizona FBI Field Office. In the course of his official duties, your Affiant is charged with the investigation of crimes occurring on the Navajo Indian Reservation within the District of Arizona. In this regard, the following information was developed by your Affiant and/or Criminal Investigators (CI) from the Navajo Nation Department of Public Safety (NDPS) regarding the investigation of the murder of Navajo Nation Police Sergeant Darrell Curley, a Navajo Indian male, by Victor Bigman, a 48 year-old, Navajo Indian male. This violation occurred on or about June 25, 2011 in Kaibeto, Arizona 86053, a location within the exterior boundaries of the Navajo Indian Reservation in the District of Arizona.

2. On June 25, 2011 at approximately 11:03 p.m. Mountain Daylight Time (MDT), SA Stoddard was informed by CI A.C. Dan and CI Michael Begay that Navajo Nation Police Sergeant Darrell Curley and Navajo Nation Police Officer Vernon Begay received a domestic violence call at approximately 10:02 p.m. MDT. The location for the call was Victor Bigman's residence Navajo Housing Authority (NHA) #182-23, Kaibeto, Arizona, in Coconino County. Gloria Bigman twice called Navajo Nation dispatch in Tuba City, Arizona, because her two sons were fighting. Both Sergeant Curley and Officer Begay responded to the call each driving

separate patrol vehicles to the residence of Victor Bigman, hereafter Victor. During the course of the call, gunshots were fired resulting in the death of Sergeant Curley and the hospitalization of Victor.

3. On June 26, 2011, your Affiant responded to the scene after securing a federal search warrant for the residence located at NHA #182-23, Kaibeto, Arizona 86053. An incident response team from the Arizona Department of Public Safety also responded to the scene and conducted a search of the premises. Located near the rear of Sergeant Curley's patrol vehicle, a four-door full sized pickup-truck, were four empty 9mm cartridges and two empty .40 caliber cartridges among other items.

4. On June 27, 2011, your Affiant, CI Rex Butler and CI A. C. Dan interviewed Officer Begay in Kaibeto, Arizona. Officer Begay said he was the first to respond to the domestic violence call at NHA #182-23 on June 25, 2011. Officer Begay was aware that Gloria Bigman called Navajo Nation dispatch in Tuba City, Arizona, because her two sons were fighting. Officer Begay parked his patrol vehicle on the Northeast corner of the residence near the front door. When Officer Begay got out of his vehicle he saw three male individuals outside near the east end of the residence. One was lying on the ground (later identified as Johnson Bigman) and appeared to be "passed out" to Officer Begay. The other two males, Officer Begay described as Victor and a male wearing a black shirt (later identified as Tyson Bigman). Victor and Tyson Bigman, hereafter Tyson, were near the back of a vehicle parked on the east side of the house. Officer Begay described that Tyson appeared to be impaired as he was unsteady on his feet. Officer Begay waited for back-up to arrive to take any action as he was concerned about their demeanor and actions. A short time later, Sergeant Curley arrived and parked his patrol vehicle on the Southeast corner of the residence near the back door. Officer Begay then placed

handcuffs on Johnson Bigman, hereafter Johnson, who was still lying on the ground securing his hands behind his back. Sergeant Curley attempted to detain Tyson but Victor stood between Sergeant Curley and Tyson holding his hands up towards Sergeant Curley blocking his access to Tyson. Tyson and Victor ^{he went in} back into the residence as Sergeant Curley continued to attempt to gain control of Tyson. Once inside, Sergeant Curley was able to get ahold of Tyson who began to swinging fists at Sergeant Curley. Officer Begay left Johnson outside handcuffed behind his back and assisted Sergeant Curley with Tyson. Sergeant Curley advised all that he would use mace if Tyson didn't stop resisting. Tyson continued to fight and Sergeant Curley deployed his mace. Officer Begay was able to place one handcuff around one of Tyson's wrists while Sergeant Curley was able to place his handcuffs around Tyson's other wrist. Officer Begay took the two loose ends of the handcuffs and fastened them together securing Tyson's hands behind his back.

5. After securing Tyson's hands, Officer Begay saw that Johnson had joined them inside the house and realized that the father, Victor, was somewhere inside the house but was not in sight. Sergeant Curley took Tyson and escorted him out the back door of the residence while Officer Begay took Johnson and escorted him out the front door of the residence and towards his patrol vehicle. As Officer Begay was placing Johnson in his vehicle, Officer Begay heard two "pops", which he recognized as gunshots, coming from the direction of Sergeant Curley's patrol vehicle. Officer Begay turned around towards Sergeant Curley and heard more "pops" as he did. Officer Begay saw Sergeant Curley falling backwards away from the residence holding his pistol out in the direction of the house. Officer Begay saw Sergeant Curley fire one round and fall on his back in the street. Officer Begay ran towards Sergeant Curley and as he approached, he saw Victor several feet away from Sergeant Curley on his hands and knees near the left rear tire of Sergeant Curley's patrol vehicle. Underneath Victor was a black semi-automatic pistol. Officer

Begay gave commands to Victor but he did not respond. Victor's wife, Gloria Bigman, approached Victor and Officer Begay informed her that he was armed with a weapon. Officer Begay instructed Gloria Bigman, hereafter Gloria, to take the pistol and place it on the hood of the patrol vehicle. Gloria complied with Officer Begay's request. Officer Begay maintained cover on Victor and assisted Sergeant Curley to a sitting position. After some time had passed, an ambulance and other Navajo Nation Officers responded. The pistol recovered from underneath Victor was retrieved from the hood of the patrol vehicle and placed into evidence. It is described as a black in color, Smith and Wesson semi-automatic pistol chambered in 9mm. The medical staff treated Sergeant Curley at the scene and transported him to a helicopter which was waiting nearby. Sergeant Curley was flown to a hospital in Page, Arizona where he died.

6. On June 27, 2011, an autopsy was conducted on the body of Sergeant Curley by the Coconino County Medical Examiner (ME). The ME discovered two separate gunshot wounds to the body and two rounds that were stopped by Sergeant Curley's ballistic vest. Of the two rounds stopped by the ballistic vest, one round struck the center of the chest but was stopped by the trauma plate and the second round struck the lower front portion of the ballistic vest, penetrating the vest but not penetrating Sergeant Curley's abdomen causing a superficial burn. Of the rounds that wounded Sergeant Curley, one entered the front of the upper left shoulder exiting the middle of the upper back causing damage to the left lung. The second entered the rear of the upper left shoulder and exited the middle of the upper back.

7. The events described in paragraphs 1-6, *infra*, occurred on the Navajo Indian Reservation in Indian Country in the District of Arizona. Based upon the aforementioned information, your Affiant believes that a violation of federal law has occurred: Crime on an Indian Reservation, First Degree Murder, in violation of Title 18 U. S. C. Section 1153 and 1111.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.



Eric D. Stoddard
Special Agent
Federal Bureau of Investigation
Flagstaff, Arizona

Subscribed and sworn to before me this 28TH day of June, 2011.


U.S. Magistrate Judge